

ORIGINAL

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FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

FEB 17 2006
at 3 o'clock and 45 min. P.M.
SUE BEITIA, CLERK

UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

IN THE MATTER OF THE) Civil NO. CV05-00037 HG-BMK
COMPLAINT OF BLUE) [3 Consolidated Cases]
DOLPHIN CHARTERS, LTD.)
AND TERRY DONNELLY, AS)
OWNERS OF THE VESSEL)
M/V BLUE DOLPHIN, O/N) AMENDED OFFER TO ALLOW
1082213, FOR) MONEY JUDGEMENT TO BE TAKEN
EXONERATION FROM) AGAINST LIMITATION
AND/OR LIMITATION OF) PLAINTIFF/DEFENDANTS BLUE
LIABILITY) DOLPHIN CHARTERS, LTD. and
) TERRY DONNELLY IN FAVOR OF
) MATTHEW ISHAM, INDIVIDUALLY
) UNDER FED. RULE CIV. P. 68
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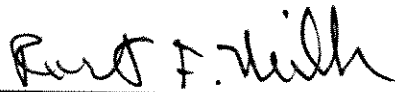
MATTHEW ISHAM,) CIVIL NO.: CV 04 00559 HG-BMK
individually and as Guardian Ad)
Litem for HAYDEN ISHAM, a)
minor; ROXANNE BEST)
ISHAM,)
)
Plaintiffs,)
)
vs.)
)
BLUE DOLPHIN CHARTERS,)
LTD. and BLUE DOLPHIN)
DIVING, LTD., CAPTAIN)
ANDY'S SAILING, INC.,)
DOES 1 - 50,)
)
Defendants.)
)

DENNIS CLAYPOOL,) CIVIL NO.: CV 04 00570 HG-BMK
individually and as Guardian ad)
Litem for KRISTEN)
CLAYPOOL, a minor, SHERYL)
CLAYPOOL, SCOTT)
CLAYPOOL, AND KRISTEN)
CLAYPOOL,)
)
Plaintiffs,)
)
vs.)
)
CAPTAIN ANDY'S SAILING,)
INC., BLUE DOLPHIN)
CHARTERS, LTD. And BLUE)
DOLPHIN DIVING, LTD.,)
)
Defendants.)
)

AMENDED OFFER TO ALLOW MONEY JUDGEMENT TO
BE TAKEN AGAINST LIMITATION PLAINTIFF/DEFENDANTS BLUE
DOLPHIN CHARTERS, LTD. and TERRY DONNELLY IN FAVOR OF
MATTHEW ISHAM, INDIVIDUALLY UNDER FED. RULE CIV. P. 68

COMES NOW LIMITATION PLAINTIFF/DEFENDANTS BLUE
DOLPHIN CHARTERS, LTD. and TERRY DONNELLY, pursuant to Fed/ R.
Civ. P. 68, who herewith offers to allow a "new money" judgement to be taken
against LIMITATION PLAINTIFF/DEFENDANTS BLUE DOLPHIN
CHARTERS, LTD. and TERRY DONNELLY, in the amount of Two Million Nine
Hundred Seventy Five Thousand (\$2,975,000.) Dollars in favor of
Plaintiff/Limitation Claimant MATTHEW ISHAM, individually only.

Dated: HONOLULU, HAWAII, February 13, 2006.



ROBERT F. MILLER
Attorney for Terry Donnelly and Blue Dolphin
Charters, Ltd.